

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

James E. Washington,

Plaintiff,

v.

**Case No. 3:21-cv-268
Judge Thomas M. Rose**

Community Serv. Real Estate, LLC, et al.,

Defendants.

**ENTRY AND ORDER DISMISSING CASE FOR FAILURE
TO PROSECUTE.**

On December 14, 2023, the Court issued an Order to Show Cause (Doc. 41), ordering Plaintiff to Show Cause on or before December 29, 2023, why the Complaint in this action should not be dismissed for failure to prosecute. In issuing the Order to Show Cause, the Court notified Plaintiff that it proposed to dismiss the action if Plaintiff failed to prosecute. Plaintiff did not show cause as to why the complaint should not be dismissed.

Moreover, on December 7, 2023, the Parties failed to appear for the Final Pretrial Conference as set forth by this Court's Preliminary Pretrial Conference Order (Doc. 31) issued on September 9, 2022. Further, the Parties have seemingly failed to comply with any of the Court's directives or meet any of its deadlines.

Considering the foregoing, the Court finds that dismissal for failure to serve and failure to prosecute is appropriate. Accordingly, it is hereby **ORDERED** this action is **DISMISSED WITHOUT PREJUDICE**. This matter shall be **CLOSED** and **TERMINATED** from the active

docket of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Thursday, January 5, 2023.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE